

PERSONNELResignationA. Licensed Personnel

A person desiring release from contract must submit a written request to the superintendent at least two (2) weeks before the intended date of resignation and must state the reason for the request.

The superintendent shall present the request to the Stafford County School Board at its next regular meeting. If mutually satisfactory arrangements cannot be made and the school board does not approve the request, the contract remains binding. Breaking a contract without approval of the school board may result in a request to the State Board of Education for revocation of the person's license to teach in the public schools in Virginia.

Employees who terminate their employment without the approval of the board shall be paid only for the days of actual employment.

B. Service Personnel

Service employees requesting release from their positions shall give the superintendent notice of their desire to be released at least two weeks in advance of desired separation date.

Failure to comply with this policy may result in the recommendation that the employee be ineligible for re-employment at a future date.

Editor's Note

See also division regular #5-14.

Legal Reference: Through June 30, 1997

Code of Va., §22.1-304. Reemployment of teacher who has not achieved continuing contract status; effect of continuing contract; resignation of teacher; reduction in number of teachers.—If a teacher who has not achieved continuing contract status receives notice of reemployment, he must accept or reject in writing within fifteen days of receipt of such notice. Except as provided in §22.1-305,

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written notice of nonrenewal of the contract must be given by the school board on or before April 15 of each year. If

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no such notice is given a teacher by April 15, the teacher shall be entitled to a contract for the ensuing year in accordance with local salary stipulations including increments.

Teachers employed after completing the probationary period shall be entitled to continuing contracts during good behavior and competent service and prior to the age at which they are eligible or required to retire except as hereinafter provided. Written notice of noncontinuation of the contract by either party must be given by April 15 of each year; otherwise the contract continues in effect for the ensuing year in conformity with local salary stipulations including increments.

A teacher may resign after April 15 of any school year with the approval of the local school board or, upon authorization by the school board, with the approval of the division superintendent. The teacher shall request release from contract at least two weeks in advance of intended date of resignation. Such request shall be in writing and shall set forth the cause of resignation.

If the division superintendent has been authorized to approve resignations, a teacher may, within one week, withdraw a request to resign. Upon the expiration of the one-week period, the division superintendent shall notify the school board of his decision to accept or reject the resignation. The school board, within two weeks, may reverse the decision of the division superintendent.

In the event that the board or the division superintendent declines to grant the request for release on the grounds of insufficient or unjustifiable cause, and the teacher breaches such contract, disciplinary action, which may include revocation of the teacher's license, may be taken pursuant to regulations prescribed by the Board of Education.

As soon after April 15 as the school budget shall have been approved by the appropriating body, the school board shall furnish each teacher a statement confirming continuation of employment, setting forth assignment and salary.

Nothing in the continuing contract shall be construed to authorize the school board to contract for any financial

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obligation beyond the period for which funds have been made available with which to meet such obligation.

A school board may reduce the number of teachers, whether or not such teachers have reached continuing contract status, because of decrease in enrollment or abolition of particular subjects. (Code 1950, §22-217, 4; 1968, c. 691; 1978, c. 147; 1979, c. 98; 1980, c. 559; 1992, c. 132; 1993, c. 294; 1996, c. 840.)

Adopted by School Board: March 12, 1991
Amended by School Board: August 26, 1997